REMARKS

In accordance with the foregoing, the specification and claims 1-13 and 16 are amended, new claim 19 is presented. The specification is amended based on FIG. 4. No new matter is presented in any of the foregoing and, accordingly, approval and entry of the amended specification and claims, and new claim are respectfully requested.

Claims 1-19 are pending and under consideration.

CLAIM AMENDMENTS

Claims 1, 7, and 13, are amended to recite, respectively, a method for transferring a communication fee, a computer-readable storage storing a program for controlling a computer to transfer a communication fee, and a system, using claim 1 as an example including "when a terminal of said destination user registered in said transmitting information storage device performs a processing to receive packet data, charging said destination user for said packet data, wherein said charging is carried out without distinguishing between said packet data that includes said particular packet data and said packet data that does not include said particular packet data; and . . . , wherein a number of packets of said particular packet data is calculated from said particular packet data stored in said transmitting information storage device, and an amount of the transferred communication fee is calculated by using a number of destination users specified by said receiving status data, and said number of packets of said particular packet data." (See, for example, pages 1, line 18-page 2, line 25, page 8, lines 27-28, page 10, lines 14-16, and page 12, lines 6-8).

Dependent claims 2-6, 8-12, and 16 are amended to correspond to respective base claims.

No new matter is presented in any of the foregoing and, accordingly, approval and entry of the amended claims are respectfully requested.

ITEM 2: REJECTION OF CLAIMS 1-18 UNDER 35 U.S.C. 102(e) AS BEING ANTICIPATED BY MEURONEN (U.S. 6,473,622)

The Examiner rejects claims 1-18 under 35 U.S.C. 102(e) as being anticipated by Meuronen.

Independent claims 1, 7, and 13, all as amended, recite, resepectively, a method for transferring a communication fee, a computer-readable storage storing a program for controlling a computer to transfer a communication fee, and a system including "registering into a transmitting information storage device, information regarding destination users, a sender, and particular packet data to be sent; when a terminal of said destination user registered in said

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transmitting information storage device performs a processing to receive packet data, charging said destination user for said packet data, wherein said charging is carried out without distinguishing between said packet data that includes said particular packet data and said packet data that does not include said particular packet data; and transferring the communication fee, charged to said destination users for said particular packet data, to said sender registered in said transmitting information storage device, by using a receiving status data for said particular packet data to be received by said terminals of said destination users registered in said transmitting information storage device, wherein a number of packets of said particular packet data is calculated from said particular packet data stored in said transmitting information storage device, and an amount of the transferred communication fee is calculated by using a number of destination users specified by said receiving status data, and said number of packets of said particular packet data."

Applicants submit that Meuronen does not teach features recited by claims 1, 7, and 13 including "an amount of the transferred communication fee is calculated by using a number of destination users specified by said receiving status data, and said <u>number of packets</u> of said particular packet data." (Emphasis added).

Rather, Meuronen teaches a short message billing system. As well-known in the art and as discussed in Meuronen (col. 4, line 67 to col. 5, line 2) "a connection-specific record TT (Toll Ticket TT) containing sufficient information for calculating the costs of the connection is created <u>per each connection at least when the call is terminated</u>." (Emphasis added).

That is, Meuronen teaches a system in which a short message is not billed based on the number of packets.

Further, Meuronen does not teach that "charging said destination user for said packet data, wherein said charging is carried out without distinguishing between said packet data that includes said particular packet data and said packet data that does not include said particular packet data."

Rather, Meuronen teaches that a sender and a receiver is charged (col. 6, lines 18-36)

(w)hen a short message arrives at the short message gateway . the short message gateway MSC SMS-GMSC checks if the message includes a parameter indicating the price of the message. . . . the MSC creates record TT comprising, in addition to standard data, information on the short message tariff. Thereafter record TT is transferred, . . to a billing system for further processing. On the basis of the data included in record TT, the billing system is able to direct the billing to the MS subscriber at the price TF2 defined by the sender.

That is, Meuronen teaches <u>away</u> from charging only a sender for the receiving fee.

Further, Meuronen does not teach" charging is carried out without distinguishing."
Rather, Mueronen teaches (see, for example, col.. 6, lines 18-36)a short message must have a parameter indicating the price of the message. That is Mueronen teaches that a changing must be carried out.

In addition, dependent claims recite features not taught by Meuronen. For example, claims 3, 9 and 15, recite the registering comprises "registering information regarding said sender and said particular packet data to be sent into said transmitting information storage device; and registering information regarding said destination users into said transmitting information storage device." (Emphasis added).

The Examiner contends that Meuronen teaches these features citing col. 3, lines 35-42 and col. 7, lines 13-24. However, Applicant submits there is no teaching in Meuronen, in the lines cited, or anywhere else, for registering the recited combination of destination users and sender and a particular packet to be sent.

Dependent claims 4, 10 and 16, recite wherein "said particular packet data includes a Web page data, and said registering information regarding said destination users includes registering information regarding said destination user that is acquired -when a terminal of said destination user requests said particular packet data.

The Examiner contends that Meuronen teaches these features citing col. 6, lines 19-36. However, Applicant submits there is no teaching in Meuronen, in the lines cited, or anywhere else teaching such features.

NEW CLAIM

New claim 19 is presented to recite features in an alternate fashion. No new matter is presented in any of the foregoing and, accordingly, approval and entry of the new claim is respectfully requested.

New claim 19 recites a method for transferring a communication fee including "charging a destination user for received packet data regardless of particular packet data received; and transferring a communication fee charged to the destination user for the particular packet data to a sender registered in a transmitting information storage device by using a receiving status data for said particular packet data to be received, wherein a number of packets of the particular packet data is calculated from the particular packet data stored in the transmitting information storage device, and an amount of the transferred communication fee is calculated by using a number of destination users specified by the receiving status data, and the number of packets of said particular packet data." (See, for example, pages 1, line 18-page 2, line 25, page 8, lines

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27-28, page 10, lines 14-16, and page 12, lines 6-8).

These features patentably distinguish over the cited art.

Conclusion

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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